



COHEN TAUBER SPIEVACK & WAGNER P.C.

Sari E. Kolatch

direct: 212-381-8729

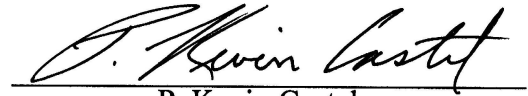
e-mail: skolatch@ctswlaw.com

April 8, 2024

Application GRANTED. The conference is adjourned to May 17, 2024 at 12 p.m. SO ORDERED.

Via ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York 500 Pearl Street
500 Pearl Street
New York, NY 10007



P. Kevin Castel
United States District Judge
4/8/2024

Re: *Multisuma Investment Corp. et al v. The Bolivarian Republic of Venezuela*
Case No. 23-cv-09670

Dear Judge Castel:

We represent plaintiffs Multisuma Investment Corp. and Cen Xijiao Siem Wu (collectively, "Plaintiffs") in the above-referenced case. The initial pre-trial conference is scheduled for Friday April 12, 2024, but as set forth below, service of the summons and complaint has not yet been completed.

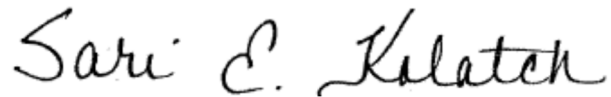
On December 19, 2023, the Court approved Plaintiffs' request to serve defendant The Bolivarian Republic of Venezuela ("Defendant"), via diplomatic channels pursuant to 28 U.S.C. § 1608(a)(4). The required materials for service of process, including a bank check for \$2,275.00, was transmitted to the United States Department of State on January 9, 2024.

I have been corresponding with Jared Hess, an attorney at the relevant office at the Department of State regarding the status of service. He informed me today that his office sent the \$2,275.00 bank check to the Department of State's accounts receivable office in St. Louis, but it appears to have been lost in the mail. It is not clear from Mr. Hess's email when this occurred. A copy of my email correspondence with Mr. Hess is attached.

Plaintiffs will have to issue a new check before the State Department serves the summons and complaint. Under the circumstances, however, we want to make sure that greater precautions are taken to make sure the second check is not lost. Mr. Hess's email indicates that he is inquiring as to whether we can send the check directly to State Department's accounts receivable office in St. Louis, rather than going through the D.C. office. As soon as we have updated information, we will send another check.

In the meantime, we respectfully request that the Court adjourn the initial pre-trial conference. We will keep the Court updated on the status of service.

Respectfully submitted,

A handwritten signature in black ink that reads "Sari E. Kolatch". The script is cursive and fluid, with the first name "Sari" and last name "Kolatch" being more prominent than the middle initial "E.".

Sari E. Kolatch

From: [Hess, Jared N](#)
To: [Sari Kolatch](#)
Cc: [McPherson, Michael](#); [FSIA-LR](#)
Subject: RE: [External] Multisuma Investment Corp, et al. v The Bolivarian Republic of Venezuela Case No. 23-cv-09670; Diplomatic Service
Date: Monday, April 8, 2024 10:16:12 AM
Attachments: [image001.png](#)

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Hi Sari,

Not a problem. We had been waiting on the checks to be deposited by our accounts receivable office in St. Louis, and following confirmation that the fees were deposited, the documents were to be delivered. However, we learned last week the certified mail containing the fees appears to have been lost either by USPS or the DOS office in St. Louis. Our sister office indicated they did not receive the package, but USPS says it should have been delivered. We had been working to track down the package with both offices, but we confirmed this morning that neither can locate the package. So I think the only option is for you to send us a replacement check for the consular fees. Once you send it to us, we can deposit the new check and move forward with delivery. We can provide details on how to do that; we may be able to have you send it directly to the accounts receivable team so it doesn't have to go through DC as an intermediary, and we can save a little time, but I'll need to confirm that. Lastly, if your bank needs a letter from us indicating that the check has been lost, let us know and we'd be happy to do that.

Let us know if you have any questions.

Best,

Jared N. Hess

Attorney Adviser

U.S. Department of State

L/CA/POG/GC

Email: HessJN@state.gov

From: Sari Kolatch <skolatch@ctswlaw.com>

Sent: Monday, April 8, 2024 9:15 AM

To: Hess, Jared N <HessJN@state.gov>

Cc: McPherson, Michael <McPhersonMC@state.gov>; FSIA-LR <FSIA-LR@state.gov>

Subject: RE: [External] Multisuma Investment Corp, et al. v The Bolivarian Republic of Venezuela Case No. 23-cv-09670; Diplomatic Service

Hi Jared –

I'm just following up on the status of diplomatic service of the documents in the above referenced case. I hate to keep bothering you, but the case is in the calendar this week and I

have to write the Court to ask for an adjournment and provide an update on the status. Any information you can give me would be greatly appreciated.

Best,
Sari

From: Sari Kolatch
Sent: Thursday, April 4, 2024 10:53 AM
To: Hess, Jared N <HessJN@state.gov>
Cc: McPherson, Michael <McPhersonMC@state.gov>; FSIA-LR <FSIA-LR@state.gov>
Subject: RE: [External] Multisuma Investment Corp, et al. v The Bolivarian Republic of Venezuela
Case No. 23-cv-09670; Diplomatic Service

Hi Jared –

I'm just checking to see if there is any update since last week on the status of diplomatic service of the documents.

Best,
Sari

Sari E. Kolatch

C | T | S | W

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From: Hess, Jared N <HessJN@state.gov>
Sent: Tuesday, March 26, 2024 2:55 PM
To: Sari Kolatch <skolatch@ctswlaw.com>

Cc: McPherson, Michael <McPhersonMC@state.gov>; FSIA-LR <FSIA-LR@state.gov>

Subject: RE: [External] Multisuma Investment Corp, et al. v The Bolivarian Republic of Venezuela
Case No. 23-cv-09670; Diplomatic Service

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Good Afternoon Sari,

The Department received the request and are processing it. We are currently waiting for confirmation that the consular fees have been deposited, and following that the documents should be prepared for delivery. We may have some additional information next week, so feel free to reach back out then.

Best,

Jared N. Hess

Attorney Adviser

U.S. Department of State

L/CA/POG/GC

Email: HessJN@state.gov

From: Sari Kolatch <skolatch@ctswlaw.com>

Sent: Monday, March 25, 2024 2:53 PM

To: Hess, Jared N <HessJN@state.gov>

Cc: McPherson, Michael <McPhersonMC@state.gov>; FSIA-LR <FSIA-LR@state.gov>

Subject: Multisuma Investment Corp, et al. v The Bolivarian Republic of Venezuela Case No. 23-cv-09670; Diplomatic Service

Dear Mr. Hess:

We represent plaintiffs in the above referenced matter. On January 9, 2024, the clerk of the Southern District of New York sent the state department the required documents for diplomatic service on The Bolivarian Republic of Venezuela (affidavit of service attached). There is an upcoming court conference on the case, and we need to update the Court on the status of service.

Any update you can give us on the status would be greatly appreciated.

Thanks,

Sari E. Kolatch

C | T | S | W

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From: FSIA-LR <FSIA-LR@state.gov>
Sent: Wednesday, December 27, 2023 10:39 AM
To: Arpi Salbashian <asalbashian@ctswlaw.com>; FSIA-LR <FSIA-LR@state.gov>
Cc: McPherson, Michael <McPhersonMC@state.gov>
Subject: RE: [External] Plaintiffs Service of Process upon a Foreign State (diplomatic service)

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Hello Arpi,
Please see the FSIA Checklist on the Department's website:
<https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/international-judicial-assistance/Service-of-Process/FSIA-Checklist.html>

The cashier's check for the consular fees can be made out to: "U.S. Department of State"

All documents including the fees for service under FSIA 1608(a)(4) should be addressed to:
U.S. Department of State
L/CA/POG/GC, SA-17, 10th Floor
Washington, DC 20522-1710
Attn: FSIA

Best,
Jared N. Hess
Attorney Adviser
U.S. Department of State
L/CA/POG/GC
Email: HessJN@state.gov

From: Arpi Salbashian <asalbashian@ctswlaw.com>

Sent: Monday, December 18, 2023 12:25 PM

To: FSIA-LR <FSIA-LR@state.gov>

Subject: Plaintiffs Service of Process upon a Foreign State (diplomatic service)

Good afternoon,

We will need to serve a summons and complaint (as well as other documents) on The Bolivarian Republic of Venezuela, which has been closed for 2 years. Pursuant to 22 CFR 22.1, a \$2,275 check needs to be sent.

Can you please advise who the check should be made out to?

Thank you.

Arpi Salbashian

Legal Assistant



Cohen Tauber Spievack & Wagner P.C.

[Partners in Your Strategic Vision](#)

420 Lexington Ave., Suite 2400

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